

*United States Attorney
Southern District of New York*

November 23, 2020

BY CM/ECF

The Hon. Katherine Polk Failla
United States District Court for the
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Michael Barreto*, S1 19 Cr. 909 (KPF)

Dear Judge Failla:

The Government writes on behalf of the parties to respectfully request a schedule for pretrial motions, and an order excluding time under the Speedy Trial Act.

At a telephonic conference on November 18, 2020, the Court adjourned the prior motions schedule and trial date, and requested that the parties confer and propose a new schedule for pretrial motions. After conferring, the parties respectfully propose the following schedule for pretrial motions: Pretrial motions due March 1, 2021; Response due March 22, 2021; Reply due April 2, 2021; and a hearing, if required, on April 20, 2021 or later.

The Government requests an order excluding time under the Speedy Trial Act until March 1, 2021. The ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial because the continuance will permit the defendant and his counsel additional time to review discovery under challenging circumstances brought on by the COVID-19 pandemic and permit the defendant and the Government additional time to discuss a potential pretrial resolution of this matter. *See* 18 U.S.C. § 3161(h)(7)(A). Defense counsel consents to the exclusion of time.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York

by: /s/
Kedar S. Bhatia
Assistant United States Attorney
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Application GRANTED. The parties are hereby ORDERED to adhere to the briefing schedule outlined in the above letter. The parties are further ORDERED to appear for a hearing on the pretrial motions on April 20, 2021, at 3:00 p.m. Moreover, it is ORDERED that time be excluded under the Speedy Trial Act between January 7, 2021, and March 1, 2021. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and Defendant in a speedy trial because it will both permit defense counsel to review discovery and will allow the parties to engage in discussions regarding a potential pre-trial disposition.

Dated: November 23, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE